

FILED
U.S. DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA
2006 MAY 30 AM 10:50
S. MacCune
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

UNITED STATES OF AMERICA,
Plaintiff,

vs.

\$60,215.00 IN UNITED STATES
CURRENCY, MORE OR LESS,
Defendant Property

CASE NO. 5:04-CV-244(WDO)

CONSENT ORDER

The parties have executed and presented to the Court a Stipulation for Compromise Settlement and Release of Claims which is attached hereto and made a part of this Order, in which they agreed that \$50,000.00 of the defendant property shall be forfeited to the United States and the remainder released to Claimants. Accordingly, the Court hereby makes the following findings of fact and conclusions of law:

1

This Court has jurisdiction of this matter pursuant to 28 U.S.C. §§ 1345 and 1355, and venue is proper pursuant to 28 U.S.C. § 1395.

2

The United States has furnished due and legal notice of these proceedings as required by law. All persons known to the United States to have a possible interest in the defendant property have received actual notice and service of summons, complaint, and warrant for arrest in this action.

3

Claimants, through counsel, filed timely claims and answers in this action and no

other persons or entities have filed a claim or answer in this action. The time limit for filing claims and answers has expired.

4

There is sufficient evidence to warrant a conclusion, by a preponderance of evidence standard, that the defendant property is subject to forfeiture in accordance with 21 U.S.C. § 881(a)(6).

THEREFORE, IT IS HEREBY ORDERED:

1. All right, title, and interest of Ikena Butler, Ebony Chislom, Dawayne Jackson and Edward Jackson in \$50,000.00 of the defendant property is hereby forfeited to the United States;

2. All other right, title, and interest in \$50,000.00 of the defendant property is hereby forfeited to and vested in the United States, which shall have clear title to this property and may warrant good title to any subsequent transferee;

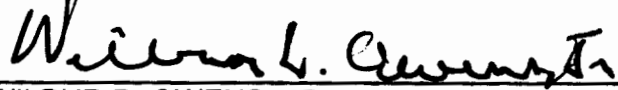
3. The United States Attorney General or his authorized designee shall dispose of this property in accordance with the law, see 21 U.S.C. § 881(e).

4. The United States Marshals Service shall issue a check in the amount of \$10,215.00, payable jointly to Ikena Butler, Ebony Chislom, Dewayne Jackson, Edward Jackson and William H. Turner, Attorney at Law, 40 Macon Street, Suite A, McDonough, Georgia, 30253, and forward same to the United States Attorney for the Middle District of Georgia, for distribution to Claimants.

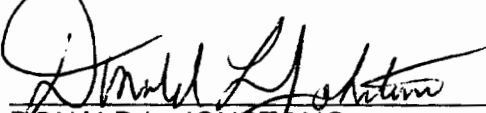
5. Pursuant to 28 U.S.C. § 2465, no parties shall be entitled to costs, including any costs under 28 U.S.C. § 2412, nor shall the person or persons who made the seizure of the defendant property, nor any attorney, agent, or employee of the United States, be liable to suit or judgment on account of the seizure of the defendant property or prosecution of

the instant forfeiture action, there being reasonable cause shown for the seizure.

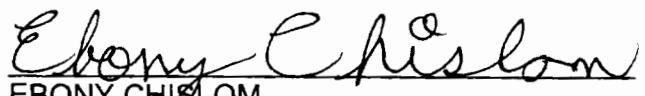
SO ORDERED, this 30th day of May, 2006.


WILBUR D. OWENS, JR.
UNITED STATES DISTRICT JUDGE

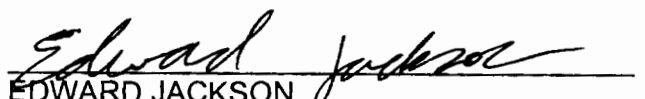
THE ENTRY OF THE FOREGOING ORDER IS CONSENTED TO BY:

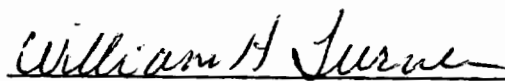

DONALD L. JOHNSTON
ASSISTANT UNITED STATES ATTORNEY
GEORGIA STATE BAR NO. 397015


IKENNA BUTLER
CLAIMANT


EBONY CHISLOM
CLAIMANT


DEWAYNE JACKSON
CLAIMANT


EDWARD JACKSON
CLAIMANT


WILLIAM H. TURNER, ESQ.
GEORGIA STATE BAR NO. 719925
ATTORNEY FOR CLAIMANTS